IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1938 OF 2007

in

APPEAL (LODGING) NO. 228 OF 2007

IN

WRIT PETITION NO. 3143 OF 2006

Naikwadi Shamsuddin S. ... Appellant

(Org. Petitioner)

Versus

The Princial,

Ramniranjan Jhunjhunwala College & Ors. Respondents

Mr. Shaikh Nasir Masih for the appellant.

None for respondents.

CORAM: D.K.DESHMUKH &

J.H.BHATIA,JJ.

DATE : 1st August, 2007.

P.C.

1. Assuming that there is sufficient cause shown for condonation of delay in filing the appeal, we heard learned Counsel appearing for the appellant on merit.

2. The learned Single Judge has declined to entertain the Petition filed by the appellant because the order impugned in the Petition is an interlocutory order passed by the University and College Tribunal. In our opinion, the learned Single Judge is perfectly justified in declining to entertain the petition against the interlocutory order because interlocutory order is an order which is capable of being challenged with the final order that may be passed.

The Motion and the Appeal are disposed of.

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(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)